

**TWENTIETH DAY**  
(Friday, August 9, 1991)

The Senate met at 11:30 a.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Armbrister, Barrientos, Bivins, Brooks, Brown, Carriker, Dickson, Ellis, Glasgow, Green, Haley, Harris of Tarrant, Harris of Dallas, Henderson, Johnson, Krier, Leedom, Lucio, Lyon, Moncrief, Montford, Parker, Ratliff, Rosson, Sibley, Sims, Tejeda, Truan, Turner, Whitmire, Zaffirini.

A quorum was announced present.

The Reverend R. E. Foster, Zion Rest Baptist Church, Austin, offered the invocation as follows:

Father, we thank You today. We come before You realizing that You have all power in Your hand. We come before You, Father, realizing that You said, "In everything by prayer and supplication, let your requests be made known unto God." So we make our request this morning that Thou would guide our minds, that You would direct us, that we would continue to live out the true meaning of our pledge of allegiance as being one nation under God. We know that if we ask anything according to Your will, according to Your word, we can have confidence in knowing that You will answer our prayer. So we ask, Father, that You would help us to yield our lives to Your will. In the name of Jesus we pray. Amen.

On motion of Senator Brooks and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

**CO-AUTHORS OF SENATE BILL 3**

On motion of Senator Moncrief and by unanimous consent, Senators Carriker and Lucio will be shown as Co-authors of S.B. 3.

**CO-AUTHORS OF SENATE BILL 103**

On motion of Senator Moncrief and by unanimous consent, Senators Ellis and Rosson will be shown as Co-authors of S.B. 103.

**CO-AUTHORS OF SENATE BILL 104**

On motion of Senator Zaffirini and by unanimous consent, Senators Moncrief, Leedom, Truan, Dickson, Sibley, Ellis, Whitmire, Lucio and Tejeda will be shown as Co-authors of S.B. 104.

**MESSAGE FROM THE HOUSE**

House Chamber  
August 9, 1991

HONORABLE BOB BULLOCK  
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

**H.B. 61**, Relating to the regulation and operation of proprietary schools; providing penalties.

Respectfully submitted,

BETTY MURRAY, Chief Clerk  
House of Representatives

#### REPORT OF STANDING COMMITTEE

Senator Haley submitted the following report for the Committee on Administration:

#### C.S.H.B. 72

#### SENATE BILL AND RESOLUTIONS ON FIRST READING

The following bill and resolutions were introduced, read first time and referred to the Committee indicated:

**S.R. 204** by Glasgow Administration  
Requesting the lieutenant governor and speaker of the house of representatives to establish a special interim committee to study agricultural and nonpoint source pollution problems and to determine strategies for the state to pursue to solve these problems.

**S.C.R. 24** by Brooks Administration  
Establishing a special joint interim committee to study the organization and management of the state's historical and cultural resources.

**S.B. 105** by Sims Administration  
Relating to the terms of the directors of the Midland County Hospital District.

#### HOUSE BILL ON FIRST READING

The following bill received from the House was read the first time and referred to the Committee indicated:

**H.B. 61**, To Committee on Education.

#### RESOLUTIONS SIGNED

The President announced the signing in the presence of the Senate the following enrolled resolutions:

**S.C.R. 14**

**S.C.R. 20**

#### GUESTS PRESENTED

Senator Ratliff was recognized and introduced a group of Woodland 4-H Club members seated in the gallery and expressed appreciation to them for a job well done.

The Senate welcomed these guests.

An enrolled copy of **S.R. 156**, previously adopted by the Senate on Tuesday, August 5, 1991, was presented by the President to Chad Gibson, President of the Woodland 4-H Club.

(Senator Carriker in Chair)

**SENATE RESOLUTION 158**

Senator Turner offered the following resolution:

**S.R. 158**, Extending congratulations to the Washington County Express Team and the Washington County Fair on the celebration of its 123rd anniversary.

The resolution was read and was adopted by a viva voce vote.

(President in Chair)

**HOUSE BILL 124 ON SECOND READING**

On motion of Senator Ratliff and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

**H.B. 124**, Relating to the disposition of the Morris County Hospital District's assets and liabilities on dissolution.

The bill was read second time and was passed to third reading by a viva voce vote.

**HOUSE BILL 124 ON THIRD READING**

Senator Ratliff moved that the Constitutional Rule and Senate Rule 7.20 requiring bills to be read on three several days be suspended and that **H.B. 124** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

**CONFERENCE COMMITTEE REPORT ON  
SENATE BILL 3 ADOPTED**

Senator Montford called from the President's table the Conference Committee Report on **S.B. 3**. (The Conference Committee Report having been filed with the Senate and read on Thursday, August 8, 1991.)

On motion of Senator Montford, the Conference Committee Report was adopted by the following vote: Yeas 31, Nays 0.

**SENATE CONCURRENT RESOLUTION 23**

Senator Montford offered the following resolution:

**S.C.R. 23**, Instructing the Senate Enrolling Clerk to make corrections on the enrollment of **S.B. 3**.

The resolution was read.

On motion of Senator Montford and by unanimous consent, the resolution was considered immediately and was adopted by the following vote: Yeas 31, Nays 0.

(Senator Dickson in Chair)

**MESSAGE FROM THE HOUSE**

House Chamber  
August 9, 1991

HONORABLE BOB BULLOCK  
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

**H.C.R. 27**, Commending Colonel Joe E. Milner on his innumerable contributions to the field of law enforcement and to the State of Texas.

**H.C.R. 29**, Granting Texas 4-H permission to use the chambers of the senate and house of representatives in the State Capitol on July 20, 21, and 22, 1992, for its mock legislative session.

Respectfully submitted,

BETTY MURRAY, Chief Clerk  
House of Representatives

**COMMITTEE SUBSTITUTE  
SENATE JOINT RESOLUTION 3 ON SECOND READING**

Senator Bivins asked unanimous consent to suspend the regular order of business to take up for consideration at this time:

**C.S.S.J.R. 3**, Proposing a constitutional amendment relating to contributions to the Employees Retirement System of Texas and the Teacher Retirement System of Texas.

There was objection.

Senator Bivins then moved to suspend the regular order of business and take up **C.S.S.J.R. 3** for consideration at this time.

The motion prevailed by the following vote: Yeas 21, Nays 10.

Yeas: Armbrister, Barrientos, Bivins, Brown, Glasgow, Haley, Harris of Tarrant, Harris of Dallas, Henderson, Johnson, Krier, Leedom, Lyon, Moncrief, Montford, Parker, Ratliff, Rosson, Sibley, Sims, Tejada.

Nays: Brooks, Carriker, Dickson, Ellis, Green, Lucio, Truan, Turner, Whitmire, Zaffirini.

The resolution was read second time.

**(President in Chair)**

Senator Barrientos offered the following amendment to the resolution:

Amend **C.S.S.J.R. 3** as follows:

On line 37 before the bracketed language add the following sentence:

The Legislature may, by law, increase benefits for individuals participating in the system.

The amendment was read and was adopted by a viva voce vote.

On motion of Senator Bivins and by unanimous consent, the caption was amended to conform to the body of the resolution as amended.

The resolution as amended was passed to engrossment by a viva voce vote.

**RECORD OF VOTE**

Senator Truan asked to be recorded as voting "Nay" on the passage of the resolution to engrossment.

**COMMITTEE SUBSTITUTE  
SENATE JOINT RESOLUTION 3 ON THIRD READING**

Senator Bivins moved that the Constitutional Rule and Senate Rule 7.20 requiring bills to be read on three several days be suspended and that C.S.S.J.R. 3 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 25, Nays 6.

Yeas: Armbrister, Barrientos, Bivins, Brown, Dickson, Ellis, Glasgow, Haley, Harris of Tarrant, Harris of Dallas, Henderson, Johnson, Krier, Leedom, Lyon, Moncrief, Montford, Parker, Ratliff, Rosson, Sibley, Sims, Tejeda, Whitmire, Zaffirini.

Nays: Brooks, Carriker, Green, Lucio, Truan, Turner.

The resolution was read third time and was passed by the following vote: Yeas 21, Nays 10.

Yeas: Armbrister, Barrientos, Bivins, Brown, Ellis, Glasgow, Haley, Harris of Tarrant, Harris of Dallas, Henderson, Johnson, Krier, Leedom, Lyon, Moncrief, Montford, Parker, Ratliff, Rosson, Sibley, Sims.

Nays: Brooks, Carriker, Dickson, Green, Lucio, Tejeda, Truan, Turner, Whitmire, Zaffirini.

**CAPITOL PHYSICIAN**

Senator Barrientos was recognized and presented Dr. Eugenio Salazar of Austin as the "Doctor for the Day."

The Senate welcomed Dr. Salazar and thanked him for his participation in the "Capitol Physician" program sponsored by the Texas Academy of Family Physicians.

**HOUSE RESOLUTION ON FIRST READING**

The following resolution received from the House was read the first time and referred to the Committee indicated:

**H.C.R. 29**, To Committee on Administration.

**CONFERENCE COMMITTEE REPORT ON  
HOUSE JOINT RESOLUTION 10 ADOPTED**

Senator Green called from the President's table the Conference Committee Report on **H.J.R. 10**. (The Conference Committee Report having been filed with the Senate and read on Thursday, August 8, 1991.)

**POINT OF ORDER**

Senator Henderson raised a Point of Order that the Conference Committee Report had not been printed and laid out for 24 hours.

The President ruled that the Point of Order was well taken and sustained.

**SENATE RULE 12.09(a) SUSPENDED**

Senator Green moved to suspend Senate Rule 12.09(a) as it relates to the Conference Committee Report on **H.J.R. 10**.

The motion prevailed by the following vote: Yeas 25, Nays 6.

Yeas: Armbrister, Barrientos, Brooks, Carriker, Dickson, Ellis, Glasgow, Green, Haley, Harris of Tarrant, Johnson, Krier, Lucio, Lyon, Moncrief, Montford, Parker, Ratliff, Rosson, Sibley, Tejeda, Truan, Turner, Whitmire, Zaffirini.

Nays: Bivins, Brown, Harris of Dallas, Henderson, Leedom, Sims.

On motion of Senator Green, the Conference Committee Report on H.J.R. 10 was adopted by the following vote: Yeas 25, Nays 6. (Same as previous roll call)

**SENATE RULE 11.11 SUSPENDED**

On motion of Senator Montford and by unanimous consent, Senate Rule 11.11 was suspended in order that the Committee on Finance might consider the following bills today:

**H.B. 22**

**H.B. 211**

**HOUSE BILL 72 ORDERED NOT PRINTED**

On motion of Senator Haley and by unanimous consent, H.B. 72 was ordered not printed.

**SENATE BILL 103 REREFERRED**

On motion of Senator Moncrief and by unanimous consent, S.B. 103 was withdrawn from the Committee on Natural Resources and rereferred to the Committee on Administration.

**SENATE BILL 88 REREFERRED**

On motion of Senator Ellis and by unanimous consent, S.B. 88 was withdrawn from the Committee on Health and Human Services and rereferred to the Committee on Finance.

**SENATE RULE 11.11 SUSPENDED**

On motion of Senator Zaffirini, on behalf of Senator Glasgow, and by unanimous consent, Senate Rule 11.11 was suspended in order that the Committee on State Affairs might consider S.B. 104 today.

**SENATE RULE 11.11 SUSPENDED**

On motion of Senator Haley and by unanimous consent, Senate Rule 11.11 was suspended in order that the Committee on Administration might consider the following bills today:

**H.B. 81**

**S.B. 105**

**SENATE RULE 11.11 SUSPENDED**

On motion of Senator Haley and by unanimous consent, Senate Rule 11.11 was suspended in order that the Committee on Administration might consider H.B. 55 tomorrow.

**PERMISSION TO MEET GRANTED**

On motion of Senator Brooks and by unanimous consent, permission was granted for all committees to meet while the Senate was in session.

**RECESS**

On motion of Senator Brooks, the Senate at 12:39 p.m. took recess until 5:30 p.m. today.

**AFTER RECESS**

The Senate met at 5:30 p.m. and was called to order by the President.

**MESSAGE FROM THE HOUSE**

House Chamber  
August 9, 1991

HONORABLE BOB BULLOCK  
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

**S.C.R. 22**, Instructing the Enrolling Clerk of the House of Representatives to correct the enrollment of **H.B. 9**. (As amended)

**H.B. 12**, Relating to the application of the professional prosecutors law to certain prosecutors.

**H.B. 222**, Relating to certain agencies subject to the Texas Sunset Act.

**H.B. 224**, Relating to a limitation on school district administrative costs and an adjustment to funding based on those costs.

The House has adopted the Conference Committee Report on **H.B. 7** by a record vote of 114 Ayes, 13 Noes, 1 Present-not voting.

The House has adopted the Conference Committee Report on **H.B. 9** by a record vote of 112 Ayes, 18 Noes, 1 Present-not voting.

Respectfully submitted,

BETTY MURRAY, Chief Clerk  
House of Representatives

(Senator Whitmire in Chair)

**REPORTS OF STANDING COMMITTEES**

By unanimous consent, Senator Haley submitted the following report for the Committee on Administration:

**H.B. 81**

**S.B. 105**

By unanimous consent, Senator Montford submitted the following report for the Committee on Finance:

**H.B. 211**

**H.B. 22**

**C.S.H.B. 54**

**C.S.H.B. 11**

By unanimous consent, Senator Glasgow submitted the following report for the Committee on State Affairs:

**S.B. 102** (Amended)

**C.S.S.B. 104**

**SENATE BILLS ON FIRST READING**

On motion of Senator Krier and by unanimous consent, the following bills were introduced, read first time and referred to the Committee indicated:

**S.B. 106** by Krier Administration  
Relating to the authority of the Texas Water Commission or the Texas Natural Resource Conservation Commission to determine reasonable use of artesian water.

**S.B. 107** by Johnson, Ellis Administration  
Relating to abolishing certain district courts, creating additional districts, and the election of district court judges in certain counties.

#### HOUSE BILLS ON FIRST READING

The following bills received from the House were read the first time and referred to the Committee indicated:

**H.B. 12**, To Committee on Administration.

**H.B. 222**, To Committee on Administration.

**H.B. 224**, To Committee on Finance.

(President in Chair)

#### MOTION TO GRANT PERMISSION FOR CONFERENCE COMMITTEES TO MEET

Senator Parker asked unanimous consent for the Conference Committees to meet while the Senate was in session.

On motion of Senator Parker and by unanimous consent, the motion was withdrawn.

#### HOUSE JOINT RESOLUTION 8 ON SECOND READING

Senator Montford moved to suspend the regular order of business to take up for consideration at this time:

**H.J.R. 8**, Proposing a constitutional amendment relating to the establishment of a state lottery.

The motion prevailed by the following vote: Yeas 24, Nays 7.

Yeas: Armbrister, Barrientos, Bivins, Brooks, Carriker, Dickson, Ellis, Glasgow, Harris of Tarrant, Harris of Dallas, Henderson, Johnson, Krier, Lucio, Lyon, Moncrief, Montford, Parker, Rosson, Sibley, Sims, Truan, Whitmire, Zaffirini.

Nays: Brown, Green, Haley, Leedom, Ratliff, Tejeda, Turner.

The resolution was read second time.

Senator Leedom offered the following amendment to the resolution:

#### Floor Amendment No. 1

Amend **H.J.R. 8** by:

(1) Inserting new SECTIONS 1 and 2 to read as follows:

SECTION 1. Article VIII, Section 1(c) of the Texas Constitution is amended to read as follows:

(c) The Legislature may provide for the taxation of intangible property and may also impose occupation taxes, both upon natural persons and upon corporations, other than municipal, doing any business in this State. Subject to the restrictions of Section 24 of this article, it, [It] may also tax incomes of both natural persons and corporations other than municipal, except that persons engaged in mechanical and agricultural pursuits shall never be required to pay an occupation tax.



SECTION 2. Article VIII of the Texas Constitution is amended by adding Section 24 to read as follows:

Sec. 24(a) An act adopted, or previously adopted, by the Legislature that imposes a tax on the incomes of natural persons that would, except for the operation of this section, become law, does not become law and shall not be effective if at any time during which the act would be effective, a state lottery is authorized, unless the tax is approved by a majority of the voters voting in a statewide referendum held on the question of imposing the tax.

(b) The Legislature may amend or repeal a tax approved under this section without submitting the amendment or the repeal to the voters except that the percentage rate of any tax approved by the voters shall not be increased without further approval by the voters as provided by Subsection (a) of this section.;

(2) Renumber current SECTIONS 1 and 2 as SECTIONS 3 and 4; and

(3) Amend the new SECTION 4 to read as follows:

SECTION 4. This proposed constitutional amendment shall be submitted to the voters at an election to be held on November 5, 1991. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment authorizing a state lottery and prohibiting a personal income tax while the lottery is operational unless approved by the voters at a statewide election."

The amendment was read.

On motion of Senator Montford, the amendment was tabled by a viva voce vote.

#### RECORD OF VOTES

Senators Bivins, Krier, Leedom and Sibley asked to be recorded as voting "Nay" on the motion to table the amendment.

Senator Ratliff offered the following amendment to the resolution:

#### Floor Amendment No. 2

Amend H.J.R. 8 on page 1, line 34, by adding the following sentence to the end of Subsection (e): "State funds and other funds generated from lottery proceeds may not be used to promote or advertise a lottery."

The amendment was read.

(Senator Harris of Dallas in Chair)

On motion of Senator Montford, the amendment was tabled by the following vote: Yeas 21, Nays 10.

Yeas: Armbrister, Barrientos, Bivins, Brooks, Carriker, Dickson, Ellis, Glasgow, Harris of Dallas, Henderson, Johnson, Krier, Lucio, Moncrief, Montford, Parker, Rosson, Sims, Truan, Whitmire, Zaffirini.

Nays: Brown, Green, Haley, Harris of Tarrant, Leedom, Lyon, Ratliff, Sibley, Tejada, Turner.

(President in Chair)

Senator Leedom offered the following amendment to the resolution:

#### Floor Amendment No. 3

Amend H.J.R. 8 by:

(1) Inserting new SECTIONS 1 and 2 to read as follows:

SECTION 1. Article VIII, Section 1(c) of the Texas Constitution is amended to read as follows:

(c) The Legislature may provide for the taxation of intangible property and may also impose occupation taxes, both upon natural persons and upon corporations, other than municipal, doing any business in this State. Subject to the restrictions of Section 24 of this article, it, [it] may also tax incomes of both natural persons and corporations other than municipal, except that persons engaged in mechanical and agricultural pursuits shall never be required to pay an occupation tax.

SECTION 2. Article VIII of the Texas Constitution is amended by adding Section 24 to read as follows:

Sec. 24(a) An act adopted, or previously adopted, by the Legislature that imposes a tax on the incomes of natural persons that would, except for the operation of this section, become law, does not become law and shall not be effective if at any time during which the act would be effective, a state lottery is authorized, unless the tax is approved by a majority of the voters voting in a statewide referendum held on the question of imposing the tax.

(b) The Legislature may amend or repeal a tax approved under this section without submitting the amendment or the repeal to the voters.

(2) Renumber current SECTIONS 1 and 2 as SECTIONS 3 and 4; and

(3) Amend the new SECTION 4 to read as follows:

SECTION 4. This proposed constitutional amendment shall be submitted to the voters at an election to be held on November 5, 1991. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment authorizing a state lottery and prohibiting a personal income tax while the lottery is operational unless approved by the voters at a statewide election."

The amendment was read.

#### POINT OF ORDER

Senator Parker raised a Point of Order that the amendment was not germane to the body of the resolution.

The President ruled that the Point of Order was well taken and sustained.

The President requested the Secretary to call the roll on the passage to engrossment of H.J.R. 8.

The roll was called and the following vote was recorded: Yeas 24, Nays 7.

Yeas: Armbrister, Barrientos, Bivins, Brooks, Carriker, Dickson, Ellis, Glasgow, Harris of Tarrant, Harris of Dallas, Henderson, Johnson, Krier, Lucio, Lyon, Moncrief, Montford, Parker, Rosson, Sibley, Sims, Truan, Whitmire, Zaffirini.

Nays: Brown, Green, Haley, Leedom, Ratliff, Tejeda, Turner.

#### POINT OF ORDER

Senator Leedom raised a Point of Order that House bills and resolutions are passed to third reading, not passed to engrossment.

The President ruled that the Point of Order was well taken and sustained.

Question recurring on the passage of H.J.R. 8 to third reading, H.J.R. 8 was passed to third reading by a viva voce vote.

#### RECORD OF VOTE

Senator Brown asked to be recorded as voting "Nay" on the passage of the resolution to third reading.

**HOUSE JOINT RESOLUTION 8 ON THIRD READING**

Senator Montford moved that the Constitutional Rule and Senate Rule 7.20 requiring bills to be read on three several days be suspended and that H.J.R. 8 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 25, Nays 6.

Yeas: Armbrister, Barrientos, Bivins, Brooks, Brown, Carriker, Dickson, Ellis, Glasgow, Green, Haley, Harris of Tarrant, Johnson, Krier, Lucio, Lyon, Moncrief, Montford, Parker, Rosson, Sims, Truan, Turner, Whitmire, Zaffirini.

Nays: Harris of Dallas, Henderson, Leedom, Ratliff, Sibley, Tejada.

Question—Shall H.J.R. 8 be finally passed?

**MOTION TO GRANT PERMISSION  
FOR CONFERENCE COMMITTEES TO MEET**

Senator Parker asked unanimous consent for the Conference Committees to meet while the Senate was in session.

There was objection.

Question—Shall H.J.R. 8 be finally passed?

(Senator Moncrief occupied the Chair during discussion of H.J.R. 8)

(Senator Zaffirini in Chair)

(Senator Carriker in Chair)

(Senator Brown in Chair)

(Senator Moncrief in Chair)

(Senator Turner in Chair)

(Senator Armbrister in Chair)

Question—Shall H.J.R. 8 be finally passed?

The resolution was finally passed by the following vote: Yeas 22, Nays 6.

Yeas: Armbrister, Barrientos, Bivins, Brooks, Carriker, Ellis, Glasgow, Harris of Tarrant, Harris of Dallas, Henderson, Johnson, Krier, Lucio, Lyon, Moncrief, Montford, Parker, Rosson, Sibley, Sims, Truan, Zaffirini.

Nays: Brown, Haley, Leedom, Ratliff, Tejada, Turner.

Absent: Dickson, Green, Whitmire.

**SENATE RULE 11.11 SUSPENDED**

On motion of Senator Haley and by unanimous consent, Senate Rule 11.11 was suspended in order that the Committee on Administration might consider the following bills tomorrow:

**H.B. 12**

**S.B. 103**

**S.B. 106**

**SENATE RULE 11.11 SUSPENDED**

Senator Haley moved to suspend Senate Rule 11.11 in order that the Committee on Administration might consider H.B. 222 tomorrow.

The motion to suspend prevailed by the following vote: Yeas 20, Nays 7.

Yeas: Armbrister, Barrientos, Brooks, Carriker, Ellis, Glasgow, Haley, Johnson, Krier, Lucio, Lyon, Moncrief, Montford, Parker, Rosson, Sims, Tejeda, Truan, Turner, Zaffirini.

Nays: Bivins, Harris of Tarrant, Harris of Dallas, Henderson, Lecdom, Ratliff, Sibley.

Absent: Brown, Dickson, Green, Whitmire.

#### **SENATE RULE 11.11 SUSPENDED**

On motion of Senator Montford and by unanimous consent, Senate Rule 11.11 was suspended in order that the Committee on Finance might consider the following bills tomorrow:

**H.B. 224**

**H.B. 19**

#### **CONGRATULATORY RESOLUTIONS**

**H.C.R. 8** - (Dickson): Honoring the United Service Organizations on the occasion of their 50th anniversary.

**H.C.R. 14** - (Lyon): Commending Amy Howerton of Rockwall for her exceptional heroism and extending best wishes to her for success and happiness in the future.

**H.C.R. 27** - (Armbrister): Commending Colonel Joe E. Milner on his innumerable contributions to the field of law enforcement and to the State of Texas.

**S.R. 202** - By Sibley: Recognizing the Marlin Public Library on the joyous occasion of its 50th anniversary.

**S.R. 203** - By Sibley: Honoring Ethel Rogers on the occasion of her 90th birthday.

**S.R. 205** - By Sibley: Extending congratulations to David B. and Corene Watts on the occasion of their 50th wedding anniversary.

**S.R. 206** - By Sibley: Extending congratulations to Debbie Fannon on being named Miss Waco and extending best wishes to her for much future success.

**S.R. 207** - By Sibley: Extending congratulations to Patrick Arguellas, Zach Beaty, Josh Borsellino, Jeff Brown, Leon Jimenez, Chris Jones, Anson Lewis, Aaron Mason, Marc Marquez, Randy Moran, Nick Muhl, Scott Myers, and Joel Patzke for being chosen for the Waco Lake Air All-Star Little League Baseball Team.

**S.R. 208** - By Sibley: Extending congratulations to Mabank Varsity Cheerleader Candi Carney for being selected for the All-Star Team at the Varsity Cheerleading Camp held at Southwest Texas Camp.

**S.R. 209** - By Sibley: Extending congratulations to Cindy Schiffer of Marlin, Texas, who has been chosen to attend the National Leadership Camp in Colorado on August 14 through 19, 1991.

**S.R. 210** - By Sibley: Extending congratulations to Patricia Day of Whitney on being named All-American Scholar by the United States Achievement Academy.

**S.R. 211** - By Brooks: Extending congratulations to Mr. and Mrs. Gene Stough on the occasion of their 50th wedding anniversary.

**S.R. 212** - By Moncrief: Joining with the citizens of Fort Worth in expressing great admiration for Corey Summerhill for his life-saving efforts in rescuing his cousin from a pool.

**ADJOURNMENT**

On motion of Senator Brooks, the Senate at 3:09 a.m. adjourned, in memory of Jesus G. Barrientos, the uncle of Senator Barrientos, until 11:00 a.m. today.

**TWENTY-FIRST DAY**  
(Saturday, August 10, 1991)

The Senate met at 11:00 a.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Armbrister, Barrientos, Bivins, Brooks, Brown, Carriker, Dickson, Ellis, Glasgow, Green, Haley, Harris of Tarrant, Harris of Dallas, Henderson, Johnson, Krier, Leedom, Lucio, Lyon, Moncrief, Montford, Parker, Ratliff, Rosson, Sibley, Sims, Tejeda, Truan, Turner, Zaffirini.

Absent-excused: Whitmire.

A quorum was announced present.

The Reverend Albert Elam, First Baptist Church, Dale, offered the invocation as follows:

Dear Father, we come to You this morning to ask for help in making decisions today, to make the right decisions that will meet the needs of all whom we serve. Let us make the decisions with understanding and wisdom. We need Your spirit to lead us. In the name of Jesus Christ we pray. Amen.

On motion of Senator Truan and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

**LEAVE OF ABSENCE**

Senator Whitmire was granted leave of absence for today on account of illness on motion of Senator Brooks.

**MESSAGE FROM THE HOUSE**

House Chamber  
August 10, 1991

HONORABLE BOB BULLOCK  
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

S.C.R. 23, Concurrent resolution authorizing Senate Enrolling to make technical corrections in S.B. 3.

Respectfully submitted,  
BETTY MURRAY, Chief Clerk  
House of Representatives